

Docket No. 9491-033-27



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BRIAN M. FENDLY, ET AL. GAU: 1645
SERIAL NO: 08/948,149 EXAMINER: SWARTZ, R.
FILING DATE: OCTOBER 9, 1997
FOR: ANTI-ERBB2 ANTIBODIES

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JCS
4/29/02

AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

This Amendment is submitted in answer to the Office Action dated March 23, 2001 and Notice of Appeal filed September 24, 2001. A Request for Extension of Time for five months is attached hereto and incorporated herein by reference, thereby extending the date for response to April 24, 2002.

Please amend the above-identified application as follows.

IN THE CLAIMS:

Please amend Claims 28, 32, 34, 42 and 58 as follows:

28. (Three Times Amended) A method for inducing cell death comprising exposing a cell which overexpresses ErbB2 to an effective amount of an isolated antibody that binds to an epitope on ErbB2 to which antibody 7C2 or 7F3 bind.